

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In Re FLINT WATER LITIGATION CASES

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This document relates to:

ALL CASES, including

Carthan, et al. v. Snyder, et al
Case No. 5:16-cv-10444

Walters, et al. v. City of Flint, et al
Case No. 5:17-cv-10164

Hon. Judith E. Levy

Mag. Judge Elizabeth A. Stafford

**STIPULATION TO STAY PROCEEDINGS
RELATING TO THE LAN DEFENDANTS**

The Class Plaintiffs and Individual Plaintiffs (collectively “Plaintiffs”), on the one hand, and Leo A Daly Company, Lockwood, Andrews & Newnam, Inc. and Lockwood, Andrews & Newnam, P.C. (collectively the “LAN Defendants”), on the other, having reached a confidential settlement in principle of all claims by the Plaintiffs against the LAN Defendants, hereby agree and stipulate to this Court’s entering a stay of all proceedings against the LAN Defendants,¹ in support of which they state as follows:

1. The Court’s “power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort

¹ Attorney General Dana Nessel on behalf of the People of the State of Michigan is also party to the settlement, but is not a party in any federal court proceedings and therefore is not a signatory to this Stipulation. Attorney General Nessel will be a signatory to a similar Stipulation to Stay Proceedings filed contemporaneously herewith in state court.

for itself, for counsel, and for litigants.” *Landis v. N. Amer. Co.*, 299 U.S. 248, 254 (1936); see also *Clinton v. Jones*, 520 U.S. 681, 706 (1997) (“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.”).

2. The Plaintiffs and the LAN Defendants have reached a confidential settlement in principle of all claims by the Plaintiffs against the LAN Defendants in all pending Flint Water Cases litigation in federal and state court.

3. The settlement in principle provides the parties to the agreement at least three weeks to finalize the terms of the agreement. Plaintiffs and the LAN Defendants wish to finalize the settlement without burdening this Court with additional filings and without incurring unnecessary litigation expenses in the interim.

4. Accordingly, Plaintiffs and the LAN Defendants agree that this Court should enter a forty-five (45) day stay of all proceedings as to the LAN Defendants so that these parties can focus on finalizing the settlement agreement. This stay would include all pleading, discovery, filing and disclosure deadlines and all discovery and depositions (if any) of LAN witnesses in every Flint Water Litigation case.

5. Plaintiffs and the LAN Defendants stipulate that this stay of proceedings applies only to the LAN Defendants and does not apply to any pleading, discovery, filing or disclosure deadlines or any discovery and depositions (if any) of the VNA Defendants.

6. As provided in ECF Rule 11(c), Plaintiffs and the LAN Defendants request that a text-only order be entered granting this stipulation.

DATED: July 6, 2023.

STIPULATED AND AGREED TO:

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served on all counsel of record on July 6, 2023 in accordance with the provisions of the Federal Rules of Civil Procedure.

/s/ David C. Kent

David C. Kent